
ENGROSSED SUBSTITUTE SENATE BILL 5181

State of Washington

69th Legislature

2025 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators C. Wilson, Pedersen, Dhingra, Frame, Lias, Lovick, Nobles, Stanford, Trudeau, and Wellman)

READ FIRST TIME 01/24/25.

1 AN ACT Relating to amending the parents rights initiative to
2 bring it into alignment with existing law; amending RCW 28A.605.005;
3 and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.605.005 and 2024 c 4 s 1 are each amended to
6 read as follows:

7 (1) The legislature finds that: (a) Parents are the primary
8 stakeholders in their children's upbringing; (b) parental involvement
9 is a significant factor in increasing student achievement; and (c)
10 access to student information encourages greater parental
11 involvement.

12 (2) Parents and legal guardians of (~~public school children~~
13 ~~younger than 18 years old have all of~~) children enrolled in public
14 schools as defined in RCW 28A.150.010 have the following rights:

15 (a) To access their child's classroom and school-sponsored
16 activities to observe in accordance with RCW 28A.605.020 and to
17 examine the curriculum, textbooks, ((curriculum)) instructional
18 materials, and supplemental ((material)) instructional materials used
19 in their child's classroom in accordance with policies and
20 procedures;

1 (b) (i) To inspect and review their child's (~~(public school)~~)
2 education records (~~(in accordance with RCW 28A.605.030,)~~) and to
3 request and receive a copy of their child's education records within
4 (~~(10 business days of submitting a written request, either~~
5 ~~electronically or on paper)~~) a reasonable period of time, but not
6 more than 45 days, of submitting a request in accordance with the
7 federal family educational rights and privacy act of 1974, Title 20
8 U.S.C. Sec. 1232g, as in effect on January 1, 2025, and RCW
9 28A.605.030.

10 (ii) Parents (~~(or)~~) and legal guardians (~~(must)~~) choosing to
11 inspect and review their child's education records may not be
12 required by a public school to appear in person for the purposes of
13 requesting or validating a request for their child's (~~(public~~
14 ~~school)~~) education records, provided the public school can ascertain
15 the identity of the requestor.

16 (iii) No charge may be imposed on a parent or legal guardian to
17 (~~(receive such records electronically)~~) inspect or review their
18 child's education records or for the costs of searching for or
19 retrieving the education records. Any charges for a (~~(paper)~~) copy of
20 such records must be reasonable (~~(and)~~), not prevent a parent, legal
21 guardian, or eligible child from exercising the right to inspect and
22 review the child's education records, and be set forth in the
23 official policies and procedures of the school district and public
24 school.

25 (iv) (~~(Public school records include all of the following:~~
26 ~~(A) Academic records including, but not limited to, test and~~
27 ~~assessment scores in accordance with RCW 28A.230.195;~~
28 ~~(B) Medical or health records;~~
29 ~~(C) Records of any mental health counseling;~~
30 ~~(D) Records of any vocational counseling;~~
31 ~~(E) Records of discipline, including expulsions and suspensions~~
32 ~~under RCW 28A.600.015;~~
33 ~~(F) Records of attendance, including unexcused absences in~~
34 ~~accordance with RCW 28A.225.020;~~
35 ~~(G) Records associated with a child's screening for learning~~
36 ~~challenges, exceptionalities, plans for an individualized education~~
37 ~~program, or plan adopted under section 504 of the rehabilitation act~~
38 ~~of 1973; and~~
39 ~~(H) Any other student-specific files, documents, or other~~
40 ~~materials that are maintained by the public school)) Education~~

1 records means those official records, files, and data directly
2 related to a student and maintained by the public school including,
3 but not limited to, records encompassing all the material kept in the
4 child's cumulative folder, such as general identifying data, records
5 of attendance and of academic work completed, records of achievement
6 and results of evaluative tests, disciplinary status, test protocols,
7 and individualized education programs;

8 (v) Education records do not include records that are kept in the
9 sole possession of the maker, are used only as a personal memory aid,
10 and are not accessible or revealed to any other person except a
11 temporary substitute for the maker of the record;

12 (vi) Nothing in this section changes the access and disclosure
13 provisions established in chapter 70.02 RCW related to health care
14 information;

15 ~~(c) ((To receive prior notification when medical services are~~
16 ~~being offered to their child, except where emergency medical~~
17 ~~treatment is required. In cases where emergency medical treatment is~~
18 ~~required, the parent and legal guardian must be notified as soon as~~
19 ~~practicable after the treatment is rendered;~~

20 ~~(d) To receive notification when any medical service or~~
21 ~~medications have been provided to their child that could result in~~
22 ~~any financial impact to the parent's or legal guardian's health~~
23 ~~insurance payments or copays;~~

24 ~~(e) To receive notification when the school has arranged directly~~
25 ~~or indirectly for medical treatment that results in follow-up care~~
26 ~~beyond normal school hours. Follow-up care includes monitoring the~~
27 ~~child for aches and pains, medications, medical devices such as~~
28 ~~crutches, and emotional care needed for the healing process;~~

29 ~~(f)) To receive immediate notification ((if a criminal action is~~
30 ~~deemed to have)) that a criminal action has been committed against~~
31 ~~their child ((or by their child)) on school property during the~~
32 ~~school day, including immediate notification if there has been a~~
33 ~~shooting on school property, or their child has been detained based~~
34 ~~on probable cause of involvement in criminal activity on school~~
35 ~~property during the school day;~~

36 ~~((g)) (d) To receive immediate notification if law enforcement~~
37 ~~personnel question their child during a custodial interrogation at~~
38 ~~the school during the school day, except in cases where the parent or~~
39 ~~legal guardian has been accused of abusing or neglecting the child;~~

1 ~~((h))~~ (e) To (receive immediate notification if their child is
2 taken or removed from the public school campus without parental
3 permission, including to stay at a youth shelter or "host home" as
4 defined in RCW 74.15.020;

5 ~~(i) To receive assurance their child's public school will not~~
6 ~~discriminate against their child based upon the sincerely held~~
7 ~~religious beliefs of the child's family in accordance with chapter)~~
8 not have their child removed from school grounds or buildings during
9 school hours without authorization of a parent or legal guardian
10 according to the provisions in RCW 28A.605.010. Nothing in this
11 section affects the provisions in RCW 74.15.020, 13.32A.082,
12 26.44.050, or 26.44.115;

13 (f) To have their child receive a public education in a setting
14 in which discrimination on the basis of sex, race, creed, religion,
15 color, national origin, honorably discharged veteran or military
16 status, sexual orientation, gender expression, gender identity, the
17 presence of any sensory, mental, or physical disability, or the use
18 of a trained dog guide or service animal by a person with a
19 disability is prohibited under chapters 28A.640 and 28A.642 RCW;

20 ~~((j) To)~~ (g) In accordance with the protection of pupil rights,
21 Title 20 U.S.C. Sec. 1232h, the right to receive written notice and
22 the option to opt their child out of any (surveys, assignments,
23 questionnaires, role-playing activities, recordings of their child,
24 or other student engagements that include questions about any of the
25 following:

26 ~~(i) The child's sexual experiences or attractions;~~

27 ~~(ii) The child's family beliefs, morality, religion, or political~~
28 ~~affiliations;~~

29 ~~(iii) Any mental health or psychological problems of the child or~~
30 ~~a family member; and~~

31 ~~(iv) All surveys, analyses, and evaluations subject to areas~~
32 ~~covered by the protection of pupil rights amendment of the family~~
33 ~~educational rights and privacy act)) survey, analysis, or evaluation~~
34 that reveals information concerning:

35 (i) Political affiliations or beliefs of the student or the
36 student's parent or legal guardian;

37 (ii) Mental or psychological problems of the student or the
38 student's family;

39 (iii) Sex behavior and attitudes;

1 (iv) Illegal, antisocial, self-incriminating or demeaning
2 behavior;

3 (v) Critical appraisals of other individuals with whom
4 respondents have close family relationships;

5 (vi) Legally recognized privileged or analogous relationships,
6 such as those of lawyers, physicians, and ministers;

7 (vii) Religious practices, affiliations, or beliefs of the
8 student or student's parent or legal guardian; or

9 (viii) Income, other than that required by law to determine
10 eligibility for participation in a program or for receiving financial
11 assistance under such program;

12 ~~((k))~~ (h) To receive written notice and have the option to opt
13 their child out of ((instruction on topics associated with sexual
14 activity)) comprehensive sexual health education in accordance with
15 RCW 28A.300.475;

16 ~~((l))~~ (i) To receive from the public school the annual school
17 calendar, no later than 30 days prior to the beginning of the school
18 year, and to be notified in writing as soon as feasible of any
19 revisions to such calendar. Such calendar must be posted to the
20 public school's website and must include, at a minimum, student
21 attendance days and any known event that requires parent, legal
22 guardian, or student attendance outside of normal school days or
23 hours;

24 ~~((m))~~ (j) To receive in writing each year or to view on the
25 public school's website a comprehensive listing of any required fee
26 and its purpose and use and a description of how economic hardships
27 may be ((addressed;
28 ~~(n))~~ considered in the administration of fees;

29 (k) To receive in writing each year or to view on the public
30 school's website a description of the school's required dress code or
31 uniform established pursuant to the policies established and allowed
32 by RCW 28A.320.140, if applicable, for students; ((and
33 ~~(o))~~ (l) To be informed if their child's academic ((performance,
34 including whether their child is provided a student learning plan
35 under RCW 28A.655.270)) progress, including the right to receive
36 periodic reports on their child's educational growth and development
37 in accordance with RCW 28A.150.240 and to receive notice of their
38 child's performance on state learning standards tests and assessments
39 in accordance with RCW 28A.230.195, and whether the performance, is
40 such that it could threaten the child's ability to be promoted to the

1 next grade level (~~and to be offered~~). A parent or legal guardian
2 also has the right to request an in-person meeting with the child's
3 classroom teacher and principal to discuss any resources or
4 strategies available to support and encourage the child's academic
5 improvement;

6 (m) To file a complaint on behalf of their child under RCW
7 28A.600.477 relating to harassment, intimidation, and bullying;

8 (n) To have their child qualify for enrollment in a school
9 district if they are transferred to, or pending transfer to, a
10 military installation within the state in accordance with RCW
11 28A.225.216;

12 (o) To have their child qualify without a legal residence for
13 enrollment in a school district in accordance with RCW 28A.225.215;

14 (p) To have their child whose primary language is not English
15 access supplemental instruction and services through the transitional
16 bilingual instruction program in accordance with RCW 28A.150.220;

17 (q) To receive annual notice of the public school's language
18 access policies and services, the parents' rights to free language
19 access services under Title IV of the civil rights act of 1964, 42
20 U.S.C. Sec. 2000d, et seq., and the contact information for any
21 language access services under RCW 28A.183.040;

22 (r) To request enrollment for their child in a nonresident school
23 district in accordance with RCW 28A.225.220, 28A.225.225, and
24 28A.225.230;

25 (s) To be notified of unexcused absences and to engage in efforts
26 to eliminate or reduce their child's absences in accordance with RCW
27 28A.225.015, 28A.225.018, and 28A.225.020;

28 (t) To request, under RCW 28A.155.090, information about special
29 education programs and assistance for their child if their child is
30 eligible for but not receiving special education services, including
31 due to illness;

32 (u) To request an appeal to the superintendent of public
33 instruction under RCW 28A.155.080 if their child with disabilities
34 has been denied the opportunity of a special education program by a
35 school district or public school; and

36 (v) To access special education due process hearings regarding
37 their child as required by RCW 28A.155.020.

38 (3) Notwithstanding anything to the contrary, a public school
39 shall not be required to release any records or information regarding
40 a student's (~~medical or health records or mental health counseling~~)

1 health care, social work, counseling, or disciplinary records to a
2 parent or legal guardian who is the defendant in a criminal
3 proceeding where the student is the named victim or during the
4 pendency of an investigation of child abuse or neglect conducted by
5 any law enforcement agency or the department of children, youth, and
6 families where the parent or legal guardian is the target of the
7 investigation, unless the parent or legal guardian has obtained a
8 court order.

9 (4) (~~As used in this section "public school" has the same~~
10 ~~meaning as in RCW 28A.150.010~~) Nothing in this section creates a
11 private right of action.

12 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
13 preservation of the public peace, health, or safety, or support of
14 the state government and its existing public institutions, and takes
15 effect immediately.

--- END ---